

REMARKS

Reconsideration of this application is respectfully requested.

Claims 1-19 are currently pending in the application. It is gratefully acknowledged that the Examiner has again allowed Claims 8-19, and still finds allowable subject matter in Claims 4-7.

In the Office Action, the Examiner has now rejected Claims 1-3 under 35 U.S.C. § 102(e) as being anticipated by *Heinonen et al.* (U.S. Patent 6,438,385 B1).

With regard to independent Claim 1, the Examiner asserts that *Heinonen* teaches all the recitations of this claim. However, upon reviewing the Examiner's rejection and cited art, it is respectfully submitted that *Heinonen* does not specifically teach using a sub-BTS. That is, by definition, a sub-BTS is another BTS operating underneath a main BTS, as is illustrated in FIG. 3 of the present application. In *Heinonen*, however, in FIG. 2, there are three different BTSs (BTS, BTS1, and BTS2) with a common overlap area, with none of these BTSs being a sub-BTS of another. Therefore, it is respectfully submitted that *Heinonen* does not anticipate Claim 1, as *Heinonen* makes no reference to a sub-BTS operating underneath a main BTS.

Additionally, it is respectfully submitted that *Heinonen* merely discloses including a predetermined message for controlling a mobile station as a muting state and transmitting the same on a BCCH channel of each base station, regardless of the existence of a sub-cell (or sub-BTS). However, as recited in independent Claim 1, the present invention teaches determining if a mobile station is controlled as a muting state by using a beacon paging group frame for a sub-cell, and if a terminal is located in the sub-cell, determining a paging alert mode of a mobile communication terminal according to the beacon paging group frame.

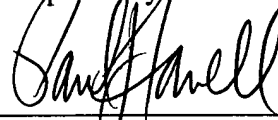
Accordingly, it is respectfully submitted that *Heinonen* merely discloses including a predetermined message on a BCCH channel, but fails to teach a beacon paging group frame for a sub-cell, as recited in Claim 1.

Further, it is respectfully submitted that *Heinonen* merely discloses that a mobile station determines an alert mode according to a predetermined message of a BCCH message, only when the mobile station receives the BCCH message. That is, it is respectfully submitted that in *Heinonen*, the mobile station neither determines whether the mobile station itself is located in a sub-cell nor determines a paging alert mode according to the beacon paging group frame, as recited in Claim 1.

At least for the reasons stated above, it is respectfully submitted that Claim 1 and dependent Claims 2-3 are patentably distinct from *Heinonen*, and it is respectfully requested that the rejection of Claims 1-3 be withdrawn.

Accordingly, all of the pending claims, i.e. Claims 1-19, are believed to be in condition for allowance and issuance of a notice of allowance is respectfully requested. The Examiner is requested to contact the undersigned if there are any questions regarding this communication.

Respectfully submitted,



Paul J. Farrell
Reg. No. 33,494
Attorney for Applicant(s)

DILWORTH & BARRESE, LLP
333 Earle Ovington Boulevard
Uniondale, New York 11553
TEL: (516) 228-8484